

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION II

STATE OF MISSOURI,)	No. ED104175
)	
Appellant,)	
)	Appeal from the Circuit Court
)	of Marion County - Hannibal
vs.)	Cause No. 13MR-CR00533
)	
JEFFREY J. NICHOLS,)	Honorable Rachel L. Bringer-Shepherd
)	
Respondent.)	Filed: August 30, 2016

The State of Missouri (the State) appeals the trial court's order granting Jeffrey Nichols (Defendant's) motion to suppress his statements made during a police interview. In the underlying criminal case, Defendant was charged with one count of first degree murder, three counts of first-degree assault, one count of second-degree assault, four counts of first-degree robbery, two counts of first-degree burglary, one count of second-degree burglary, two counts of first-degree tampering, one count of stealing, one count of knowing burning or exploding, and three counts of armed criminal action.

REVERSED and REMANDED

Division Two Holds: The trial court clearly erred by granting Defendant's motion to suppress statements since Defendant voluntarily, knowingly, and intelligently waived his previously invoked right to counsel by reinitiating further conversation with detectives during a police interview.

Opinion by: Colleen Dolan, J. Sherri B. Sullivan, P.J., and Roy L. Richter, J., concur.

Attorney for Appellant: Chris Koster and Nathan J. Aquino

Attorneys for Respondent: Robert Steele

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.
--